

R E M A R K S

The above amendment is submitted in response to the Examiner's Action, paper number 6. In that Action, the Examiner reasserted rejection of claims 17-22 as being unpatentable over Schmitt J. Claims 23-32 were rejected as being obvious over Schmitt J. as applied to Roe and West.

Applicant's new claims are submitted to overcome that rejection.

Schmitt J. shows a binder composition for agglomerating particulate material into pellets. Such pellets are described as dry, hard, agglomerates having sizes that are suitable for shipping and handling. Schmitt J., column 7, lines 8-10. Schmitt J. employs the combination of synthetic polymers, water-soluble natural polymers or modified natural polymers in combination with a caustic, such as sodium hydroxide. Schmitt J. believes the cost to condition aids in the hardening of the pellets when the pellets are dried. Such increased strength is translated into superior wet drop numbers and dry crush strength. Schmitt J. column 3, lines 6-16. Although the Examiner states there is an inference that cross-linking occurs due to caustic, Schmitt J. does not reveal or teach cross-linking. Schmitt's caustic simply hardens a pellet. In addition, Applicant's cross-linking agent is compatible with living entities such as plants. It is strongly asserted that the Schmitt J. hardening caustic is not so and could

not be used as a covering agent or tackifier that Applicant is claiming.

Roe teaches an agglomeration composition for iron ore which again produces dried pellets. However, Roe states that blends of dry acrylamid based polymers with starch do not work. Column 6, lines 65-68. Thus, Roe teaches directly away from the present invention which requires such addition.

West discloses a hydraulic binder which uses fibers in combination with a polymer and amine-formaldehyde condensate in a catalyst. Also, Schmitt J. states that fibers may be added to the composition.

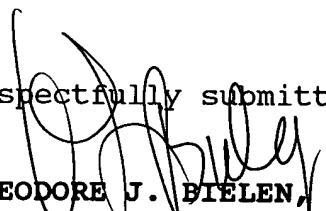
There is no suggestion in Schmitt J. to remove the caustic of this binder composition and to substitute borax in exchange. The Schmitt J. reference considers the caustic addition to be a synergistic producing item. Column 3, lines 6-13. In fact, Schmitt's examples are geared toward teaching the addition of caustic to produce a superior hardened pelletizing material. Roe on the other hand, would never combine dry acrylamide based polymers with a natural organic material such as starch. Thus, even if Roe's borax were used in substitution for the caustic found in Schmitt J., the resulting composition would also require the removal of natural organic material. The result would be a composition which does not include all of the elements of Applicant's newly submitted claims. Even the addition of the West

fibers would not provide the missing elements in Applicant's newly recited claims.

In summary, there is no teaching in Schmitt J. of a cross-linking agent. The caustic used therein is a hardening agent and is harmful to living entities. The Examiner's notation that the caustic content of Schmitt J. is low, 2% while Applicant's cross-linking agent is high, up to 15% does not negate the fact that caustic is harmful to living things while Applicant's noted cross-linking agents are not harmful to living entities. Thus, it is reasserted that the Schmitt J. binder composition in and of itself would be harmful to living entities, since caustic is never used on planted areas.

Consequently, it is believed that the claims as submitted clearly distinguish Applicant's invention from that of the prior art. The passing to issue of the application at an early date is earnestly solicited. A two-month extension of time is requested and the requisite authorization to charge the fee is enclosed.

Respectfully submitted,


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